

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**J. DENIS RAWE,**

**Plaintiff,**

**vs.**

**LIFE INSURANCE COMPANY OF  
NORTH AMERICA,**

**Defendant.**

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**8:08cv393**

**SCHEDULING ORDER**

This case was originally filed in the District Court for Lancaster County, Nebraska. Defendant removed the case to federal court and requested trial in Omaha. Plaintiff subsequently filed a jury demand and requested that trial be held in Lincoln. [NECivR 40.1\(b\)](#) provides that if a party's request is for a place different from that requested by the removing party, it must be filed as a motion.

**IT IS ORDERED:**

1. Plaintiff is given until and including **September 30, 2008** to file a Motion to Change Place of Trial, together with any supporting brief, affidavit, and/or evidence regarding the convenience of the litigants, witnesses, and counsel. *See* [NECivR 40.1\(b\)\(2\)](#). Defendant shall respond to plaintiff's Motion to Change Place of Trial within 10 business days of being served with the motion.

2. If no such motion is timely filed, the court will deem plaintiff's request for trial in Lincoln to be abandoned.

**DATED September 19, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**